

MINUTES OF THE PLAN COMMISSION MEETING
HELD ON TUESDAY, JUNE 5TH, 2018 AT 5:15 PM

A meeting of the Plan Commission was held on Tuesday, June 5th, 2018 at 5:15 pm. at the Town of Sheboygan Town Hall, 1512 N. 40th St., Sheboygan, WI 53081, Sheboygan County. The following were present: Commission Member/Town Chairperson Dan Hein, Supervisor Alexandra Nugent, Sanitary District No. 2 Commissioner Dave Griffin, Sanitary District No. 3 Commissioner Jerry Hoepfner, Cole Northup, Karen Schulze, Leslie Rahn, Brad Lambrecht, Tony Thiel, Pam Dekker and Attorney Michael Bauer.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by posting in three (3) different places.

Chairperson Hein opened the meeting.

Atty. Bauer opened the public hearings.

PUBLIC HEARING - Conditional Use Permit

Petitioner: David Halle
3326 County Road Y
Sheboygan, WI 53083
Property Owner: David Halle
Property Address: 3326 County Road Y
Property Zoning: A-1
Parcel Size: approx. 3.335 Acres
Parcel Number: 59024343398

Purposes of Petition: The petitioner is requesting approval to sell Christmas trees during the holiday season. Atty. Bauer reviewed the zoning and uses for David Halle's parcel. Atty. Bauer asked Halle to explain his proposed business. Halle stated that his operation would be to purchase Christmas trees and sell them on his residential parcel with no employee's starting the day before Thanksgiving until the week before Christmas. Dan Hein asked Atty. Bauer if approved, would the business of selling trees stay with the owner or would it stay with the land. Atty. Bauer did state that the business would stay with the land. Hein asked Halle if he would like to include wreaths in addition to the sale of trees. Halle said he would not since wreath sales are for the kids to do for fundraising. Dave Griffin asked how many trees he would have for sale. Halle answered around 1,000. Griffin suggested a trial period. Hein asked if there were any other questions related to the Conditional Use Permit request by David Halle and there was no further public comment. **Motion Schulze, second Nugent to close the public hearing. Motion carried.**

PUBLIC HEARING - Conditional Use Permit

Petitioner: Kevin Kager
1121 N. 5th Street
Sheboygan, WI 53081
Property Owner: Richard Guske
Property Address: 3801 Superior Avenue
Sheboygan, WI 53081
Property Zoning: B-2
Parcel Size: approx. 2.42 Acres
Parcel Number: 59024351682

Purposes of Petition: The petitioner is requesting approval to park a food trailer in front of Superior Discount Liquor at 3801 Superior Avenue, Wednesday through Saturday from 11:00am-7:00pm. Atty. Bauer asked Kevin to explain what his proposed business is. Kevin explained that BBQ is his main food for his food truck with soup as his back up. Atty. Bauer asked if this would be a year round venture and if his food truck would be fixed or if he plans on doing other venues. Kager said that he would like to keep the food truck at Superior Discount Liquor year round. He said the only way he would move it, would be for a large venue that it would be worth it for him to participate in. Kager asked if he would have any other events in the parking lot at SDL and he replied no. The question regarding music was asked and Kager replied that he would have soft playing music that the customer would maybe hear when they came up to order. Schulze asked about seating and Kager replied that he would have a few picnic tables, but he would expect that the majority would be mostly to go orders. Atty. Bauer reviewed the site map and said that the food truck looked like it would be located in Town's right away and Kager said that his food truck would be located on Dick Guske's property. Hein asked about catering events and if the work would be done at the food truck when it is closed. Kager said that large food prep would be done at his home or at the catering event location. Hein also asked him about his hours and limiting himself to specific hours. Kager asked if prepping prior to opening for business would be a problem. Atty. Bauer said that he should include the prep time. Kager said that when he smokes meat, he does this overnight. Kager was then asked if he planned on doing the smoking by the food truck and Kager said yes. Griffin said that this will guarantee complaints from neighbors. Griffin said that this business would not be a benefit to the Town since the business is not fixed, could potentially have parking and smoke complaints. Hein asked Guske what this food truck would do for him. Guske replied that it would be a win-win situation for all and if not, he would tell him to pack it up. Guske said it would also be nice for people to stop and bring food home. Schulze said the smoke would be offensive in the summer when people have their windows open. Kager said that he could find somewhere else to smoke the meat. Guske asked if he could start with smoking the meat on premise by his food truck and if there are complaints, he will find somewhere else to smoke the meats. Hein said he would prefer not to have the on premise smoking of the meats. Hein again, asked about the hours of operation and explained the process of a public hearing and board discussion if he were to want to change the hours at a later date. Kager then said he would like to be open seven days a week with the same hours. Northup asked about the seating and Guske said there will be 2-3 tables. Atty.

Bauer reviewed the conditions; Smoking meats will be done off premise. The hours will be seven days a week from 11am-7pm year round. No events will be held. No loud music will be allowed. A pig smoker will be allowed next to the food truck for advertising only. Schulze asked about beverages being served and Kager said that he will not be serving alcohol. Guske said that there is no drinking on the premises. Hein asked if there were any other questions related to the Conditional Use Permit request by Kevin Kager and there was no further public comment. **Motion Schulze, second Northup to close the public hearing. Motion carried.**

PUBLIC HEARING - Rezoning

Petitioner: Susan Steinhardt
421 Mueller Rd.
Kiel, WI 53042

Property Owner: Brian Gumm & Town of Sheboygan (pending offers)

Property Address: 3913 Hwy 42 and parcel directly bordering this property on Hwy 42

Present Zoning: R-2 and B-4C

Proposed Zoning: B-2

Parcel Size: approx .31 acres and approx. 3.860 acres

Parcel Number: 59024345031 and 59024344811

Purpose of Petition: The petitioner requests rezoning to B-2 (General Business District) for both parcels and remodel the home into a maximum 2300 square foot beauty salon and parking lot. Atty. Bauer stated as of today, he has not received an offer to purchase the full parcel from the Steinhardt's. Susan Steinhardt confirmed that she had the offer with her and handed it to Atty. Bauer. Atty. Bauer said that the discussion will be regarding zoning and the conditional use permit that is being requested by the Steinhardts. Atty. Bauer asked Steinhardt to explain what she would like to do with both parcels. Steinhardt explained that she would like to rezone the property at 3913 Hwy 42 to B-2. She explained that with the purchase of the additional parcel, she would meet the Town's requirement for land size for B-2 zoning. She will use 6100 square feet of parcel 59024344811. Steinhardt said she was initially worried about the DNR and the wetlands on the parcel. After speaking with her engineer, she will be able to utilize the portion of the parcel she needs and not do anything with the remaining parcel that has the wetlands on it. Steinhardt said that her engineer is working on a site plan and survey and she will submit them as soon as they are complete. Mr. Binkowski owner of Professional Heating and Cooling, 3907 Hwy 42, is concerned about the parking. Steinhardt said she will use the existing driveway for employee parking and two handicap parking space. Customers will enter on the north side for the parking area. Binkowski said he would like the fence to stay up. Binkowski also stated that he is concerned about drainage. Steinhardt said that her engineer is well aware of the issues and she will not create new ones. Mr. Steinhardt spoke about the building plans and said they are using the existing foundation of the building itself so it will not create new drainage issues. Matt Bistan, 5326 Quail Ct. asked about the purchase price of the land and parking lot lights. Atty. Bauer said the purchase price was \$8500.00 and Steinhardt said she will follow the parking lot lights ordinance for the Town. Steinhardt again said that she will not be doing anything with the wetlands. Hein asked if there were any other questions related to the Rezoning and Conditional Use Permit request by the Steinhardt's and there was no further public comment. **Motion Nugent, second Hoepfner to close the public hearing. Motion carried.**

PUBLIC HEARING - Conditional Use Permit

Petitioner: Craig & Susan Steinhardt
421 Mueller Rd.
Kiel, WI 53042

Property Owner: Brian Gumm & Town of Sheboygan (pending offer)

Property Address: 3913 Hwy 42 and parcel directly bordering this property on Hwy 42

Property Zoning: R-2 and B-4C

Parcel Size: approx.31 Acres and approx. 3.860 acres

Parcel Number: 59024345031 and 59024344811

Purposes of Petition: The petitioner is requesting approval to remodel home into an operating beauty salon with a parking lot. Atty. Bauer said with an acceptable offer to purchase, some language will need to be changed. Subject to working out the language, the lighting, design and the Town's storm water agreement will need approval. Northup asked about the parking lot dimensions and Steinhardt shared a map that she had on her phone. Atty. Bauer said that the balance of the land on parcel 59024344811 will be changed from wetlands to conservancy. The Conditional Use Permit and Rezoning Permit will have the same conditions. **Motion Rahn, second Northup to close the public hearing. Motion carried.**

AGENDA

- 1) Discussion/Action – Rezoning Application for Susan Steinhardt to rezone parcels 59024345031 and 59024344811 and remodel home into a 2300 square foot beauty salon and parking lot. Motion to recommend approval with the condition of balance of the parcel, which will not be used for the parking lot, to be listed as conservancy. **Motion Dekker, second Schulze to recommend approval to the Town Board the Rezoning Application for Susan Steinhardt with the condition regarding the balance of the unused land be listed as conservancy. Motion carried.**
- 2) Discussion/Action – Conditional Use Permit for Craig & Susan Steinhardt for approval to remodel home at 3913 Hwy 42 into an operating beauty salon with a parking lot. Craig Steinhardt explained that the building dimensions will be the same. The garage will be torn down and the building expanded to 44'x47'. The roof will be torn off and replaced with a new one. The interior will be gutted and updated to code following Town ordinances. Atty. Bauer asked when they anticipated this to happen. Steinhardt said she has a lease until 2019. Hein said to

come back to the Plan Commission a month in advance with plans including interior and exterior a month before they begin the work for review. **Motion Rahn, second Northup to recommend approval of the Conditional Use Permit to the Town Board for Craig & Susan Steinhardt with the same condition as the Rezoning Application listed above. Motion carried.**

- 3) Discussion/Action – Conditional Use Permit for David Halle to sell Christmas trees during the holiday season at 3326 County Road Y. **Motion Schulze, second Hoeppe to recommend approval of the Conditional Use Permit to the Town Board for David Halle, 3326 County Road Y to sell Christmas trees during the holiday season with a review in two years. Motion carried.**
- 4) Discussion/Action – Conditional Use Permit for Kevin Kager to park a food trailer in front of Superior Discount Liquor at 3801 Superior Avenue Wednesday through Saturday from 11:00am-7:00pm. **Motion Rahn, second Dekker to recommend approval of the Conditional Use Permit to the Town Board. Hours will be seven days a week from 11:00am-7:00pm. Motion carried.**
- 5) Discussion/Action – Possible logo change for Tower One when being painted. **Motion Northup, second Rahn to deny the logo change to the water tower due to cost. Motion carried.**
- 6) Discussion/Action – Sign Permit for Creekside Chiropractic at 4006 Enterprise Drive. Atty. Bauer asked Dr. Tislau about the setbacks and state involvement. Dr. Tislau said that he needs Board approval to submit the State form for sign approval. Dr. Tislau said he will not be in the right of way. Dr. Tislau explained the design of the sign. Atty. Bauer recommended to the Plan Commission to base approval on the State's approval. Dr. Tislau did say also that his address for Creekside Chiropractic has changed to 4000 Enterprise Drive. **Motion Nugent, second Dekker to recommend approval of the sign permit for 4000 Enterprise Drive to the Town Board contingent on State approval. Motion carried.**
- 7) Discussion Only – Proposal for business at 3828 Superior Avenue. Fenske Christmas Trees and A-C Signs. Atty. Bauer asked Chad Fenske to explain his proposal. Fenske said he would like to relocate Roys Christmas Tree business to 3828 Superior Avenue along with A-C Signs. Atty. Bauer asked if he had a contract and Fenske said he did. Atty. Bauer asked Fenske if he plans on taking the building down or remodeling it. Hein said the building is not compliant with Town ordinances. Hein said he would like to know what would be done regarding the updates to the building. Hein said he will need a business plan. Griffin asked what he would be selling in addition to trees. Fenske said he would be doing garland and wreaths as well. Fenske said he would like to have a store front for A-C Signs as well. Atty. Bauer said that the building would need to meet State code and brought up to standards.
- 8) Review/Recommendation - Approval of the Plan Commission minutes. **Motion Northup, second Nugent to approve minutes from April 10th, 2018. Motion carried.**
- 9) Correspondence & Communication-None
- 10) Adjourn. **Motion Hoeppe, second Schulze to adjourn the meeting. Motion carried.**

Peggy Fischer

**MINUTES OF THE TOWN BOARD MEETING
HELD ON TUESDAY, JUNE 5TH IMMEDIATELY FOLLOWING THE PLAN COMMISSION MEETING**

A Town of Sheboygan Town Board meeting was held on Tuesday, June 5th, 2018 in open session at the Town of Sheboygan Town Hall, 1512 No. 40th Street, Sheboygan, Wisconsin 53081, Sheboygan County, Wisconsin.

The meeting was called to order by Town Chairman Daniel Hein. The following were also present at the meeting: Supervisors Char Gumm, Jim Schwinn, DPW William Blashka and Attorney Michael Bauer.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by posting in three (3) different places.

The meeting was called to order by Town Chairman Daniel Hein. The following were also present at the meeting: Supervisors Char Gumm, Alexandra Nugent, Jim Schwinn, DPW William Blashka and Attorney Michael Bauer.

TOWN OF SHEBOYGAN TOWN BOARD

DANIEL W. HEIN, CHAIRMAN

JAMES R. SCHWINN, VICE-CHAIRMAN

CHAR GUMM, SUPERVISOR

ALEXANDRA N. NUGENT, SUPERVISOR

- 1) Discussion/Action – Rezoning Application for Susan Steinhardt to rezone parcels 59024345031 and 59024344811 and remodel home into a 2300 square foot beauty salon and parking lot. **Motion Schwinn, second Nugent to approve the rezoning of 59024345031 and 5902434481 to B-2 and with the remainder of parcel 59024344811 to remain the zoning B4C. Motion carried.**
- 2) Discussion/Action – Conditional Use Permit for Craig & Susan Steinhardt for approval to remodel home at 3913 Hwy 42 into an operating beauty salon with a parking lot. **Motion Gumm, second Schwinn to approve contingent on the viewing of design plans, site layout including lighting of the parking lot and storm water drainage to be approved by the Town Engineer for parcels 59024345031 and 5902434481. Motion carried. Motion Schwinn, second Gumm to approve counter offer authorize Dan Hein to sign amended agreement. Motion carried for the offer to purchase.**
- 3) Discussion/Action – Conditional Use Permit for David Halle to sell Christmas trees during the holiday season at 3326 County Road Y. Hein asked Halle about what he will do with the trees when the season is over. Halle said he will have no problem removing them. **Motion Gumm, second Nugent to approve the Conditional Use Permit for 3326 County Road Y with review at no cost in two years; no food or alcohol beverages to be served, no parking on County Road Y and no other events are to be held. Motion carried.**
- 4) Discussion/Action – Conditional Use Permit for Kevin Kager to park a food trailer in front of Superior Liquor at 3801 Superior Avenue Wednesday through Saturday from 11:00am-7:00pm. **Motion Schwinn, second Nugent to approve the Conditional Use Permit for Kevin Kager at 3801 Superior Avenue with hours being changed to year round, seven days a week from 11:00am-7:00pm and with the following conditions; no smoking of meats on premise, pig smoker on premise for advertising only, no live entertainment, no loud music and no events are to be held. Motion carried.**
- 5) Discussion/Action – Possible logo change for Tower One when being painted. **Motion Schwinn, second Nugent to deny the logo change to the water tower due to cost. Motion carried.**
- 6) Discussion/Action – Review North Lane Drainage. Atty. Bauer explained the North Lane Drainage bid that was emailed to William Blashka regarding the \$20k increase. Atty. Bauer wanted to note the determination of emergency and Hein agreed that it needs to be done. **Motion Gumm, second Schwinn to approve the Wagner quote on an emergency basis to construct the North Lane project for \$117,500.00. Motion carried.**
- 7) Discussion/Action – Sign Permit for Creekside Chiropractic at 4006 Enterprise Drive. Please note the change of address to 4000 Enterprise Drive. **Motion Gumm, second Nugent to approve the sign for Creekside Chiropractic at 4000 Enterprise Drive contingent on State approval. Motion carried.**
- 8) Correspondence-None
- 9) Adjourn. **Motion Nugent, second Schwinn to adjourn the meeting. Motion carried.**

Peggy Fischer